

this section which he shall specify in a written application therefor to the Committee stating that no transactions subject to such reports are contemplated for the balance of the crop year: *Provided*, That any such exemption shall remain in effect only so long as said handler has no such transactions subject to such reports.

[27 FR 3112, Mar. 31, 1962, as amended at 28 FR 10569, Oct. 2, 1963; 29 FR 11524, Aug. 12, 1964; 30 FR 6906, May 21, 1965; 31 FR 16307, Dec. 21, 1966; 32 FR 15917, Nov. 21, 1967; 38 FR 13013, May 18, 1973; 38 FR 20237, July 30, 1973; 39 FR 24218, July 1, 1974; 42 FR 52377, Sept. 30, 1977; 49 FR 18731, May 2, 1984; 55 FR 28019, July 9, 1990; 65 FR 15216, Mar. 22, 2000; 66 FR 39277, July 30, 2001; 69 FR 41388, July 9, 2004]

§ 989.176 Records.

Each handler shall maintain complete, accurate, and current records of all of his business affairs concerning which he is required to submit reports with the Committee, and shall maintain such records for at least two years after the termination of the crop year in which the transactions occurred.

Subpart—Supplementary Regulations

§ 989.210 Handling of varietal types of raisins acquired pursuant to a weight dockage system.

(a) *General*. A handler may acquire as standard raisins lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Monukka, Other Seedless, Sultana, Zante Currant, Muscat (including other raisins with seeds), and Other Seedless-Sulfured raisins under the weight dockage provisions described in §§ 989.212 and 989.213. The creditable weight of each lot of raisins acquired in this manner shall be that obtained by multiplying the net weight of the raisins in the lot by the applicable factor(s) from the appropriate dockage table(s) included in those sections.

(b) *Free and reserve tonnage percentages*. Whenever free and reserve percentages are designated for raisins of the varietal types specified in paragraph (a) of this section for a crop year, such percentages shall be applicable to the creditable weight of any lot

of such raisins acquired by a handler pursuant to a weight dockage system.

(c) *Reserve tonnage*. A handler may hold as reserve tonnage raisins, any lot, or portion thereof, of raisins of the varietal types specified in paragraph (a) of this section acquired pursuant to a weight dockage system: *Provided*, That only the creditable weight of such lot, or portion thereof, may be applied by the Committee against the handler's reserve tonnage obligation.

(d) *Assessments*. Assessments on any lot of raisins of the varietal types specified in paragraph (a) of this section acquired by a handler pursuant to a weight dockage system shall be applicable to the free tonnage portion of the creditable weight of such lot.

(e) *Payments for services on reserve tonnage*. Payment to a handler for services performed by such handler with respect to reserve tonnage raisins of the varietal types specified in paragraph (a) of this section acquired by a handler pursuant to a weight dockage system shall be made on the basis of the creditable weight of such lot and at the applicable rate specified for such services in § 989.401 of *Subpart—Schedule of Payments*.

(f) *Identification*. Any lot of raisins of the varietal types specified in paragraph (a) of this section acquired pursuant to a weight dockage system shall be so identified by the inspection service affixing to one container on each pallet, or to each bin, in such lot, a prenumbered RAC control card (to be furnished by the Committee) which shall remain affixed to the container or bin until the raisins are processed or disposed of as natural condition raisins. The control card shall only be removed by, or under the supervision of an inspector of, the inspection service, or authorized Committee personnel.

(g) *Application of dockage factors*. A lot of raisins acquired which may be subject to both a substandard and maturity dockage factor shall have only the highest of the two dockage factors applied to determine the creditable weight.

[53 FR 49296, Dec. 7, 1988, as amended at 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]